3. *Recognizes*, therefore, that progress in promoting and protecting all human rights depends primarily on efforts made at the national and local levels, and that the regional approach should imply intensive cooperation and coordination with all partners involved, while bearing in mind the importance of international cooperation;

4. *Welcomes* the growing exchanges between the United Nations and the United Nations human rights treaty bodies, on the one hand, and regional organizations and institutions, such as the African Commission on Human and Peoples' Rights, the Community of Portuguese-speaking Countries, the Council of Europe, the Inter-American Commission on Human Rights, the International Organization of la Francophonie, the League of Arab States, the Organization for Security and Cooperation in Europe and other regional institutions, on the other;

5. *Also welcomes* the placement by the Office of the High Commissioner of regional representatives in subregions and in regional commissions;

6. *Further welcomes* the progress achieved in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and, in this regard, notes with interest:

(a) The increasing cooperation between the Office of the High Commissioner and African organizations and suborganizations, in particular the African Union, the Economic Community of Central African States, the Economic Community of West African States and the Southern African Development Community;

(b) The support provided by the Office of the High Commissioner to the African Union for the strengthening of the promotion and protection of human rights in Africa, and welcomes in this regard the establishment of the African Court on Human and Peoples' Rights;

(c) The convening of the fourteenth annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Bali, Indonesia, from 10 to 12 July 2007, which, inter alia, included a discussion on future challenges for the Regional Framework for the Promotion and Protection of Human Rights in the Asia-Pacific Region and adopted a comprehensive set of points for follow-up action entitled the "Bali Action Points";

(d) The ongoing consultations among Governments aimed at the possible establishment of regional human rights arrangements held in the context of the Regional Framework, with the support and advice of national human rights institutions and civil society organizations of the Asia-Pacific region;

(e) The recent decision by the Association of the Southeast Asian Nations (ASEAN) to develop a mechanism for the promotion and protection of human rights;

(f) Activities undertaken within the framework of the regional project of the Office of the High Commissioner for the promotion and protection of human rights in the Latin American and Caribbean region and the strengthening of the cooperation between the Office of the High Commissioner, the Inter-American Commission on Human Rights and the Organization of American States;

(g) Ongoing initiatives to further develop arrangements for the promotion and protection of human rights by MERCOSUR;

(h) Activities undertaken within the framework of cooperation between the Office of the High Commissioner and the League of Arab States;

(i) The continued cooperation towards the realization of universal standards between the Office of the High Commissioner and regional organizations in Europe and Central Asia, namely, the Council of Europe, and its various human rights bodies and mechanisms, the European Union and the Organization for Security and Cooperation in Europe, in particular for activities at the country level;

7. *Invites* States in areas in which regional arrangements in the field of human rights do not yet exist to consider, with the support and advice of national human rights institutions and civil society organizations, concluding agreements with a view to establishing, within their respective regions, suitable regional machinery for the promotion and protection of human rights;

8. *Requests* the Secretary-General to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and to make available adequate resources from within the regular budget of technical cooperation to the activities of the Office of the High Commissioner to promote regional arrangements;

9. *Requests* the Office of the High Commissioner to continue to pay special attention to the most appropriate ways of assisting countries of the various regions, at their request, under the programme of technical cooperation and to make, where necessary, relevant recommendations, and in this regard welcomes the decision of the Office to strengthen national protection systems in accordance with action 2 of the reform programme of the Secretary-General;[4]

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights, formulating concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights, and to include therein the results of action taken in pursuance of the present resolution;

11. *Decides* to consider the question further at its sixty-fifth session.

---

[4] See A/57/387 and Corr.1.

Draft resolution IV
Combating defamation of religions

The General Assembly,

Reaffirming the pledge made by all States, under the Charter of the United Nations, to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to race, sex, language or religion,

Recalling the relevant international instruments on the elimination of discrimination, in particular the International Convention on the Elimination of All Forms of Racial Discrimination,[1] the International Covenant on Civil and Political Rights,[2] the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[3] the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live[4] and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[5]

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council in this regard,

Welcoming the resolve expressed in the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000[6] to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels,

Underlining in this regard the importance of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001,[7] welcoming the progress achieved in implementing them, and emphasizing that they constitute a solid foundation for the elimination of all scourges and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Expressing concern at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, as a result, inter alia, of the resurgence of activities of political parties and associations established on the basis of racist, xenophobic and ideological superiority platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Deeply alarmed at the rising trends towards discrimination based on religion or belief, including in some national policies, laws and administrative measures that

---

[1] United Nations, *Treaty Series*, vol. 660, No. 9464.
[2] See resolution 2200 A (XXI), annex.
[3] See resolution 36/55.
[4] See resolution 40/144, annex.
[5] See resolution 47/135, annex.
[6] See resolution 55/2.
[7] See A/CONF.189/12 and Corr.1, chap. I.

stigmatize groups of people belonging to certain religions and beliefs under a variety of pretexts relating to security and irregular immigration, thereby legitimizing discrimination against them, and consequently impairing their enjoyment of the right to freedom of thought, conscience and religion, and impeding their ability to observe, practise and manifest their religion freely and without fear of coercion, violence or reprisal,

Noting with deep concern the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world, in addition to the negative projection of certain religions in the media and the introduction and enforcement of laws and administrative measures that specifically discriminate against and target persons with certain ethnic and religious backgrounds, particularly Muslim minorities following the events of 11 September 2001, and that threaten to impede their full enjoyment of human rights and fundamental freedoms,

Stressing that defamation of religions is a serious affront to human dignity leading to the illicit restriction of the freedom of religion of their adherents and incitement to religious hatred and violence,

Stressing also the need to effectively combat defamation of all religions, and incitement to religious hatred in general,

Reaffirming that discrimination on the grounds of religion or belief constitutes a violation of human rights and a disavowal of the principles of the Charter of the United Nations,

Noting with concern that defamation of religions, and incitement to religious hatred in general, could lead to social disharmony and violations of human rights, and alarmed at the inaction of some States to combat this burgeoning trend and the resulting discriminatory practices against adherents of certain religions,

Taking note of the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submitted to the Human Rights Council at its fourth and sixth sessions,[8] which draw attention to the serious nature of the defamation of all religions, and reiterating the call of the Special Rapporteur to all States to wage a systematic campaign against incitement to racial and religious hatred by maintaining a careful balance between the defence of secularism and respect for freedom of religion and by acknowledging and respecting the complementarity of all the freedoms embodied in internationally agreed human rights instruments, including the International Covenant on Civil and Political Rights,[2]

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations,[9] and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil society to contribute to the implementation of the Programme of Action contained in the Global Agenda,

[8] A/HRC/4/19 and A/HRC/6/6.

[9] See resolution 56/6.

Welcoming the efforts of the Alliance of Civilizations initiative in promoting mutual respect and understanding among different cultures and societies, as well as the forthcoming second forum of the Alliance, to be held in Istanbul, Turkey, on 2 and 3 April 2009,

Convinced that respect for cultural, ethnic, religious and linguistic diversity, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of the different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards people belonging to different cultures, religions and beliefs generate hatred and violence among peoples and nations throughout the world,

Recognizing the valuable contributions of all religions and beliefs to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of common values,

Underlining the important role of education in the promotion of tolerance, which involves acceptance by the public of, and its respect for, diversity, including with regard to religious expressions, and underlining also the fact that education should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Reaffirming the need for all States to continue their national and international efforts to enhance dialogue and broaden understanding among civilizations, cultures, religions and beliefs, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

Welcoming all international and regional initiatives aimed at promoting cross-cultural and interfaith harmony, including the international dialogue on interfaith cooperation, and the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008, and their valuable efforts towards the promotion of a culture of peace and dialogue at all levels, and taking note with appreciation of the programmes led by the United Nations Educational, Scientific and Cultural Organization in this regard,

Underlining the importance of increasing contacts at all levels in order to deepen dialogue and reinforce understanding among different cultures, religions, beliefs and civilizations, and in this regard taking note with appreciation of the Declaration and Programme of Action adopted by the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,[10]

Recalling its resolution 62/154 of 18 December 2007,

1. *Takes note* of the report of the Secretary-General[11] and the conclusions contained therein;

2. *Expresses deep concern* at the negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still evident in the world;

[10] A/62/464, annex.

[11] A/63/365.

3. *Strongly deplores* all acts of psychological and physical violence and assaults, and incitement thereto, against persons on the basis of their religion or belief, and such acts directed against their businesses, properties, cultural centres and places of worship, as well as targeting of holy sites and religious symbols of all religions;

4. *Expresses deep concern* at the programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating stereotypes about certain religions, in particular when condoned by Governments;

5. *Notes with deep concern* the intensification of the overall campaign of defamation of religions, and incitement to religious hatred in general, including the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;

6. *Recognizes* that, in the context of the fight against terrorism, defamation of religions, and incitement to religious hatred in general, become aggravating factors that contribute to the denial of fundamental rights and freedoms of members of target groups, as well as their economic and social exclusion;

7. *Expresses deep concern* in this respect that Islam is frequently and wrongly associated with human rights violations and terrorism;

8. *Reiterates* the commitment of all States to the implementation, in an integrated manner, of the United Nations Global Counter-Terrorism Strategy, which was adopted without a vote by the General Assembly on 8 September 2006[12] and reaffirmed by the Assembly in its resolution 62/272 of 5 September 2008, and which clearly confirms, inter alia, that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, stressing the need to reinforce the international community's commitment to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs or cultures and prevent the defamation of religions;

9. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination against any religion, as well as targeting of religious symbols;

10. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to hold opinions without interference, and has the right to freedom of expression, the exercise of which carries with it special duties and responsibilities and may therefore be subject to limitations as are provided for by law and are necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals;

11. *Reaffirms* that general recommendation XV (42) of the Committee on the Elimination of Racial Discrimination,[13] in which the Committee stipulated that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with freedom of opinion and expression, is equally applicable to the question of incitement to religious hatred;

---

[12] Resolution 60/288.

[13] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

12. *Welcomes* the work undertaken by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in accordance with their mandates defined by the Human Rights Council in its resolutions 7/34 and 7/36 of 28 March 2008;[14]

13. *Strongly condemns* all manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against national or ethnic, religious and linguistic minorities and migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges all States to apply and, where applicable, reinforce existing laws when such xenophobic or intolerant acts, manifestations or expressions occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

14. *Reaffirms* the obligation of all States to enact the necessary legislation to prohibit the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and encourages States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[7] to include aspects relating to national or ethnic, religious and linguistic minorities in their national plans of action and, in this context, to take forms of multiple discrimination against minorities fully into account;

15. *Invites* all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;[3]

16. *Urges* all States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from defamation of religions, and incitement to religious hatred in general, to take all possible measures to promote tolerance and respect for all religions and beliefs and the understanding of their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

17. *Also urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect people regardless of their different religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that any necessary and appropriate education or training is provided;

18. *Underscores* the need to combat defamation of religions, and incitement to religious hatred in general, by strategizing and harmonizing actions at the local, national, regional and international levels through education and awareness-raising, and urges all States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

---

[14] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.

19. *Calls upon* all States to exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that religious places, sites, shrines and symbols are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

20. *Calls upon* the international community to foster a global dialogue to promote a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief, and urges States, non-governmental organizations, religious leaders and bodies and the print and electronic media to support and foster such a dialogue;

21. *Affirms* that the Human Rights Council shall promote universal respect for all religious and cultural values and address instances of intolerance, discrimination and incitement of hatred against members of any community or adherents of any religion, as well as the means to consolidate international efforts in order to combat impunity for such deplorable acts;

22. *Welcomes* the initiative by the United Nations High Commissioner for Human Rights on the recently held expert seminar on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, on 2 and 3 October 2008, and requests the High Commissioner to continue to build on this initiative, with a view to concretely contributing to the prevention and elimination of all such forms of incitement and the consequences of negative stereotyping of religions or beliefs, and their adherents, on the human rights of those individuals and their communities;

23. *Takes note* of the efforts of the United Nations High Commissioner for Human Rights to promote and include human rights aspects in educational programmes, particularly the World Programme for Human Rights Education proclaimed by the General Assembly on 10 December 2004,[15] and calls upon the High Commissioner to continue those efforts, with particular focus on:

(a) The contributions of cultures, as well as religious and cultural diversity;

(b) Collaboration with other relevant bodies of the United Nations system and regional and international organizations in holding joint conferences designed to encourage dialogue among civilizations and promote understanding of the universality of human rights and their implementation at various levels, in particular the Office of the United Nations High Representative for the Alliance of Civilizations and the unit within the Secretariat mandated to interact with various entities within the United Nations system and coordinate their contribution to the intergovernmental process;

24. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on the possible correlation between defamation of religions and the upsurge in incitement, intolerance and hatred in many parts of the world, to the General Assembly at its sixty-fourth session.

[15] See resolutions 59/113 A and B.

Draft resolution V
National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its resolutions and those of the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the "Paris Principles"[1] relating to the status and functioning of effective national institutions for the protection and promotion of human rights,

Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing the important role of the United Nations in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation between the United Nations and these national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Beijing Declaration and Platform for Action,[3] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the Programme of Action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human

---

[1] Resolution 48/134, annex.

[2] A/CONF.157/24 (Part I), chap. III.

[3] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

Rights,[4] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Noting the valuable role played and contributions made by national institutions in United Nations meetings dealing with human rights and the importance of their continued appropriate participation,

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Taking note with appreciation of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights[5] and on the accreditation process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,[6]

Noting with satisfaction the strengthening of the accreditation procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,

Noting with appreciation the continuing work of the regional human rights networks in Europe, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Network of African National Human Rights Institutions,

Welcoming the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

1. *Takes note with appreciation* of the report of the Secretary-General;[7]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles");[1]

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting their Government's cooperation with the United Nations for the promotion and protection of human rights;

---

[4] See A/CONF.157/NI/6.
[5] A/HRC/7/69.
[6] A/HRC/7/70.
[7] A/63/486.

5. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[2] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

6. *Also recognizes* that national institutions have a crucial role to play in promoting and ensuring the indivisibility and interdependence of all human rights, and calls upon States to ensure that all human rights are appropriately reflected in the mandate of their national human rights institutions when established;

7. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

8. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

9. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

10. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism and, the special procedures, as well as in the human rights treaty bodies, in accordance with Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007[8] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[9]

11. *Notes with satisfaction* the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

12. *Acknowledges* the role of national institutions in the strengthening of the rule of law and the promotion and protection of human rights in all sectors and encourages cooperation, where appropriate, with the United Nations system, international financial institutions, and non governmental organizations;

13. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

14. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national

---

[8] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[9] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional voluntary funds to that end;

15. *Welcomes* the national institutions website[10] as an important vehicle for the delivery of information to national institutions and also the launch of a database of comparative analysis of procedures and methods of complaint-handling by national human rights institutions;

16. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

17. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the sessions of the Human Rights Council;

18. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Human Rights Council, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

19. *Encourages* national institutions to seek accreditation status through the International Coordinating Committee of National Institutions, and notes with satisfaction the strengthening of the accreditation procedure and the continued assistance of the Office of the United Nations High Commissioner for Human Rights in this regard, as well as the assistance of the Office to the Conferences of the International Coordinating Committee;

20. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions, and its initiation in others, and encourages national institutions, in cooperation with the United Nations High Commissioner for Human Rights, to organize similar events with Governments and non-governmental organizations in their own regions;

21. *Requests* the Secretary-General to continue to provide the necessary assistance for holding international and regional meetings of national institutions;

22. *Recognizes* the important and constructive role that the judiciary, parliament and civil society can play, in cooperation with national institutions, for better promotion and protection of human rights;

23. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

---

[10] See http://www.nhri.net.

24. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and rule of law, and in this regard welcomes the efforts made by the Office of the United Nations High Commissioner for Human Rights to develop partnerships in support of national institutions;

25. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

Draft resolution VI
International Year of Human Rights Learning

The General Assembly,

Recalling that the purposes and principles contained in the Charter of the United Nations include promoting and encouraging respect for human rights and fundamental freedoms for all,

Recalling also its resolution 60/251 of 15 March 2006, in which it decided that the Human Rights Council should, inter alia, promote human rights education and human rights learning as well as advisory services, technical assistance and capacity-building,

Recalling further the 2005 World Summit Outcome, in which Heads of State and Government expressed their support for the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraged all States to develop initiatives in that regard,[1]

Recalling its resolution 62/171 of 18 December 2007, by which it proclaimed the year commencing on 10 December 2008 the International Year of Human Rights Learning,

Considering that the sixtieth anniversary of the Universal Declaration of Human Rights in 2008 is a suitable occasion for the United Nations to increase its efforts to promote a human rights culture worldwide through human rights learning as a way of life, at all levels,

Reaffirming the complementarities between the World Programme for Human Rights Education[2] and the International Year of Human Rights Learning,

Recognizing human rights learning as encompassing the acquisition and internalization of knowledge and understanding of one's own and others' human dignity,

Reaffirming that activities undertaken during the International Year of Human Rights Learning should broaden and deepen human rights learning on the basis of the principles of universality, indivisibility, interdependency, impartiality and objectivity, and on non-selectivity, constructive dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights and fundamental freedoms, bearing in mind the duty of the State, regardless of its political, economic or cultural system, to promote and protect all human rights and fundamental freedoms, and the significance of national and regional particularities and various historical, cultural and religious backgrounds,

Acknowledging that civil society, academia, the private sector, where appropriate, and parliamentarians can play an important role at the national, regional and international levels in the promotion and protection of human rights, including in the development of ways and means to promote and implement learning about human rights as a way of life at the community level,

---

[1] See resolution 60/1, para. 131.

[2] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, resolution 6/24.

1. *Reaffirms its conviction* that every woman, man, youth and child can realize his or her full human potential through learning about all human rights and fundamental freedoms, including the ability to act on that knowledge in order to ensure the effective realization of human rights and fundamental freedoms for all;

2. *Urges* Member States to develop throughout the International Year of Human Rights Learning and beyond, in coordination with civil society, the private sector, academia and parliamentarians and regional organizations, including the appropriate specialized agencies, funds and programmes of the United Nations system, international strategies and/or regional, national and local programmes of action aimed at broad-based and sustained human rights learning at all levels, bearing in mind the complimentary efforts undertaken within the framework of the World Programme for Human Rights Education;

3. *Calls upon* the United Nations High Commissioner for Human Rights and the Human Rights Council to support, cooperate and collaborate with civil society, the private sector, academia, regional organizations and other relevant stakeholders, as well as with organizations, programmes and funds of the United Nations system, in efforts to develop, in particular, the design of international strategies and/or regional, national and local programmes of action aimed at broad-based and sustained human rights learning for all, including seminars and workshops for community leaders, keeping in mind a long-term multi-year process involving several countries in all regions;

4. *Requests* the Secretary-General to include the implementation of the present resolution in the report due to the General Assembly at its sixty-fourth session in accordance with its resolution 62/171.

Draft resolution VII
Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992 on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and bearing in mind article 27 of the International Covenant on Civil and Political Rights[1] as well as other relevant existing international standards and national legislation,

Recalling also its subsequent resolutions on the effective promotion of the Declaration, as well as Human Rights Council resolutions 6/15 of 28 September 2007, by which the Council established the Forum on Minority Issues, and 7/6 of 27 March 2008 on the mandate of the independent expert on minority issues,

Noting that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contributes to political and social stability and peace and enriches the cultural diversity and heritage of society, as reaffirmed in the 2005 World Summit Outcome,[2]

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving them,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that they often suffer disproportionately from the effects of conflict resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them,

Emphasizing also the importance of human rights education, training and learning as well as of dialogue and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities and promoting inclusive and stable societies as well as social cohesion therein,

---

[1] See resolution 2200 A (XXI), annex.

[2] See resolution 60/1.

Emphasizing further the important role that national institutions can play in the promotion and protection of rights of persons belonging to national or ethnic, religious and linguistic minorities as well as in early warning and awareness raising for problems regarding minority situations,

Acknowledging that the United Nations has an important role to play regarding the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, taking due account of and giving effect to the Declaration,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,[3] including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

4. *Welcomes* in this regard the initiative of the Office of the United Nations High Commissioner for Human Rights to organize, in cooperation with the International Labour Organization and the United Nations Office on Drugs and Crime, the expert meeting on integration with diversity in policing, held in Vienna on 15 and 16 January 2008, bringing together police service professionals of different regions and countries of the world in order to share good experiences and lessons learned in relation to the inclusion of persons belonging to national or ethnic, religious and linguistic minorities in law enforcement systems, and takes note of the ongoing work on the elaboration of the Office of the United Nations High Commissioner for Human Rights guidelines on integration with diversity in policing;[4]

5. *Encourages* States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to include aspects relating to persons belonging to national or ethnic, religious and linguistic

[3] See A/CONF.189/12 and Corr.1, chap. I.

[4] Office of the United Nations High Commissioner for Human Rights report on the expert meeting on integration with diversity in policing: http://www2.ohchr.org/english/issues/minorities/seminar.htm.

minorities in their national plans of action and, in this context, to take forms of multiple discrimination fully into account;

6. *Commends* the independent expert on minority issues for the work that she has undertaken so far, for the important role that she has played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities and for her ongoing efforts to promote and protect their rights in order to ensure equitable development and peaceful and stable societies, including through close cooperation with Governments, the relevant United Nations bodies and mechanisms and non-governmental organizations, as provided for in Human Rights Council resolution 7/6;

7. *Calls upon* all States to cooperate with the independent expert in the performance of the tasks and duties mandated to her, and encourages the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate holder;

8. *Takes note with appreciation* of the decision of the Human Rights Council to establish the Forum on Minority Issues,[5] which shall provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities as well as thematic contributions and expertise to the work of the independent expert on minority issues and identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration;

9. *Invites* States, United Nations mechanisms, bodies, specialized agencies, funds and programmes, regional, intergovernmental and non-governmental organizations and national human rights institutions as well as academics and experts on minority issues to participate actively in the inaugural session of the Forum on Minority Issues, to be held on 15 and 16 December 2008 in Geneva, which is dedicated to the subject of the rights of persons belonging to minorities and the right to education;

10. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration, to continue to engage in a dialogue with Governments for that purpose and to regularly update and disseminate widely the United Nations Guide for Minorities;

11. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations agencies, funds and programmes on minority issues, and calls upon those agencies, funds and programmes to contribute actively to this process;

12. *Also welcomes* the cooperation of the independent expert on minority issues with United Nations agencies, funds and programmes, such as the United Nations Children's Fund, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization, in continuing their engagement with persons belonging to national or ethnic, religious and linguistic minorities in their work in all parts of the world;

---

[5] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, resolution 6/15.

13. *Requests* the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

14. *Invites* the human rights treaty bodies when considering reports submitted by State parties as well as special procedures of the Human Rights Council to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Invites* the High Commissioner to continue to seek voluntary contributions to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to national or ethnic, religious and linguistic minorities, in particular those from developing countries, in minority-related activities organized by the United Nations, particularly its human rights bodies, and in doing so to give particular attention to ensuring the participation of young people and women;

16. *Invites* the independent expert on minority issues to report to the General Assembly on the implementation of the present resolution at its sixty-fifth session;

17. *Decides* to continue consideration of the question at its sixty-fifth session under the item entitled "Human rights questions".

Draft resolution VIII
Human rights and extreme poverty

The General Assembly,

Reaffirming the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women,[3] the Convention on the Rights of the Child,[4] the International Convention on the Elimination of All Forms of Racial Discrimination,[5] the Convention on the Rights of Persons with Disabilities[6] and other human rights instruments adopted by the United Nations,

Recalling its resolution 47/196 of 22 December 1992, by which it declared 17 October the International Day for the Eradication of Poverty, and its resolution 62/205 of 19 December 2007, by which it proclaimed the second United Nations Decade for the Eradication of Poverty (2008-2017), as well as its resolution 61/157 of 19 December 2006 and its previous resolutions on human rights and extreme poverty, in which it reaffirmed that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them,

Recalling also its resolution 52/134 of 12 December 1997, in which it recognized that the enhancement of international cooperation in the field of human rights was essential for the effective understanding, promotion and protection of all human rights,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations, such as hunger, trafficking in human beings, disease, lack of adequate shelter, illiteracy and hopelessness, are particularly severe in developing countries, while acknowledging the significant progress made in several parts of the world in combating extreme poverty,

Deeply concerned also that gender inequality, violence and discrimination exacerbate extreme poverty, disproportionally impacting women and girls,

Stressing that special attention should be given to children, persons with disabilities and indigenous peoples who are living in extreme poverty,

Concerned by the challenges faced today, including those derived from the food crisis, the energy crisis and the financial crisis, and by their impact on the increase in the number of people living in extreme poverty and their negative effect on the capacity of all States, especially developing countries, to fight extreme poverty,

---

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[4] Ibid., vol. 1577, No. 27531.
[5] Ibid., vol. 660, No. 9464.
[6] Resolution 61/106, annex I.

Recalling Human Rights Council resolutions 2/2 of 27 November 2006, 7/27 of 28 March 2008 and 8/11 of 18 June 2008, as well as resolution 2006/9 of 24 August 2006[7] of the Subcommission on the Promotion and Protection of Human Rights of the Human Rights Council, and taking note of the annex thereto, containing the draft guiding principles on extreme poverty and human rights: the rights of the poor,

Welcoming the Summit of World Leaders for Action against Hunger and Poverty of 20 September 2004, convened in New York by the Presidents of Brazil, Chile and France and the Prime Minister of Spain with the support of the Secretary-General,

Recognizing that the eradication of extreme poverty is a major challenge within the process of globalization and requires coordinated and continued policies through decisive national action and international cooperation,

Stressing the necessity of better understanding the causes and consequences of extreme poverty,

Reaffirming that, since the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights and might, in some situations, constitute a threat to the right to life, its immediate alleviation and eventual eradication must remain a high priority for the international community,

Stressing that respect for all human rights, which are universal, indivisible, interdependent and interrelated, is of crucial importance for all policies and programmes to fight extreme poverty,

Reaffirming that democracy, development and the full and effective enjoyment of human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

1. *Reaffirms* that extreme poverty and exclusion from society constitute a violation of human dignity and that urgent national and international action is therefore required to eliminate them;

2. *Reaffirms also* that it is essential for States to foster participation by the poorest people in the decision-making process in the societies in which they live, in the promotion of human rights and in efforts to combat extreme poverty, and that it is essential for people living in poverty and vulnerable groups to be empowered to organize themselves and to participate in all aspects of political, economic and social life, in particular the planning and implementation of policies that affect them, thus enabling them to become genuine partners in development;

3. *Emphasizes* that extreme poverty is a major issue to be addressed by Governments, civil society and the United Nations system, including international financial institutions, and in this context reaffirms that political commitment is a prerequisite for the eradication of poverty;

4. *Reaffirms* that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

[7] See A/HRC/Sub.1/58/L.11.

5. *Recognizes* the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. *Reaffirms* the commitments contained in the United Nations Millennium Declaration,[8] in particular the commitments to spare no effort to fight against extreme poverty and to achieve development and poverty eradication, including the commitment to halve, by 2015, the proportion of the world's people whose income is less than one United States dollar a day and the proportion of people who suffer from hunger;

7. *Reaffirms also* the commitment made at the 2005 World Summit to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all, including women and girls;[9]

8. *Encourages* the international community to strengthen its efforts to address challenges that are contributing to extreme poverty, including those posed by the current food, energy and financial crises in all parts of the world, especially in developing countries, by enhancing its cooperation to help build national capacities;

9. *Reaffirms* the critical role of both formal and informal education in the achievement of poverty eradication and other development goals as envisaged in the Millennium Declaration, in particular basic education and training for eradicating illiteracy, and efforts towards expanded secondary and higher education as well as vocational education and technical training, especially for girls and women, the creation of human resources and infrastructure capabilities and the empowerment of those living in poverty, and in this context reaffirms the Dakar Framework for Action adopted at the World Education Forum in 2000,[10] and recognizes the importance of the United Nations Educational, Scientific and Cultural Organization strategy for the eradication of poverty, especially extreme poverty, in supporting the Education for All programmes as a tool to achieve the millennium development goal of universal primary education by 2015;

10. *Invites* the United Nations High Commissioner for Human Rights to continue to give high priority to the question of the relationship between extreme poverty and human rights, and also invites her to further pursue the work in this area;

11. *Calls upon* States, United Nations bodies, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme, intergovernmental organizations and non-governmental organizations to continue to give appropriate attention to the links between human rights and extreme poverty, and encourages the private sector and the international financial institutions to proceed likewise;

12. *Invites* States, as well as relevant United Nations agencies, specialized agencies, programmes and funds, intergovernmental organizations, United Nations

---

[8] See resolution 55/2.

[9] See resolution 60/1.

[10] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

treaty bodies, special procedures, including the independent expert on the question of human rights and extreme poverty, national human rights institutions, within their respective mandates, and also non-governmental organizations, especially those in which people in situations of extreme poverty express their views, to contribute further to the consultations led by the United Nations High Commissioner for Human Rights on the draft guiding principles on extreme poverty and human rights: the rights of the poor;

13. *Welcomes* the efforts of entities throughout the United Nations system to incorporate the Millennium Declaration and the internationally agreed development goals set out therein into their work;

14. *Welcomes* the appointment of the new independent expert on the question of human rights and extreme poverty and the renewed mandate that she has received, and takes note with appreciation of her report to the General Assembly;[11]

15. *Decides* to consider the question further at its sixty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

[11] A/63/274.

Draft resolution IX
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,[3]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 62/151 of 18 December 2007,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[7]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in

---

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.
[3] See resolution 2200 A (XXI), annex.
[4] See resolution 55/2.
[5] Resolution S-23/2, annex, and resolution S-23/3, annex.
[6] Resolution S-24/2, annex.
[7] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and *reaffirming* in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[8] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware that the risk of a global monoculture poses more of a threat if the developing world remains poor and marginalized,

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights, particularly in the light of the current international financial challenges,

Expressing deep concern at the negative impact of the rising global food and energy challenges on social and economic development and on the full enjoyment of all human rights,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights, and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped to galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which

[8] See resolution 60/1.

has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[9] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

7. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

8. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

---

[9] E/CN.4/2002/54.

9. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

10. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

11. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

12. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

13. *Takes note* of the report of the Secretary-General,[10] and requests him to seek further the views of Member States and relevant agencies of the United Nations system and to submit a substantive report on the subject to the General Assembly at its sixty-fourth session.

[10] A/63/259.

Draft resolution X
Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000, section III of its resolution 55/234 of 23 December 2000, resolution 56/253 of 24 December 2001, and its resolutions 58/176 of 22 December 2003, 59/183 of 20 December 2004, 60/151 of 16 December 2005, 61/158 of 19 December 2006 and 62/221 of 22 December 2007 on the Subregional Centre for Human Rights and Democracy in Central Africa,

Recalling further that the World Conference on Human Rights recommended that more resources be made available for the strengthening of regional arrangements for the promotion and protection of human rights under the programme of technical cooperation in the field of human rights of the Office of the United Nations High Commissioner for Human Rights,[1]

Recalling the report of the High Commissioner,[2]

Taking note of the holding of the twenty-seventh ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, in Luanda from 13 to 15 May 2008,

Taking note also of the report of the Secretary-General,[3]

Welcoming the 2005 World Summit Outcome,[4] in particular the decision confirmed therein to double the regular budget of the Office of the High Commissioner over the next five years,

1. *Welcomes* the activities of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support provided for the establishment of the Centre by the host country;

3. *Takes note* of the implementation of the new three-year strategy for the Centre, which aims to reinforce its activities;[5]

4. *Notes* the efforts of the Secretary-General and the United Nations High Commissioner for Human Rights to ensure the full implementation of the relevant resolutions of the General Assembly[6] in order to provide sufficient funds and human resources for the Centre's missions;

---

[1] See A/CONF.157/24 (Part I), chap. III.

[2] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 36*, addendum (A/56/36/Add.1).

[3] A/63/367.

[4] See resolution 60/1.

[5] See A/62/317, paras. 14-19.

[6] See resolutions 61/158 and 62/221.

5. *Requests* the Secretary-General and the High Commissioner to continue to provide additional funds and human resources within the existing resources of the Office of the United Nations High Commissioner for Human Rights to enable the Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy and the rule of law in the Central African subregion;

6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the implementation of the present resolution.

Draft resolution XI
The right to development

The General Assembly,

Guided by the Charter of the United Nations, which expresses, in particular, the determination to promote social progress and better standards of life in larger freedom, as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling the Universal Declaration of Human Rights,[1] as well as the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2]

Recalling also the outcomes of all the major United Nations conferences and summits in the economic and social fields,

Recalling further that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and that the individual is the central subject and beneficiary of development,

Stressing that the Vienna Declaration and Programme of Action[3] reaffirmed the right to development as a universal and inalienable right and an integral part of fundamental human rights, and the individual as the central subject and beneficiary of development,

Reaffirming the objective of making the right to development a reality for everyone, as set out in the United Nations Millennium Declaration, adopted by the General Assembly on 8 September 2000,[4]

Deeply concerned that the majority of indigenous peoples in the world live in conditions of poverty, and recognizing the critical need to address the negative impact of poverty and inequity on indigenous peoples by ensuring their full and effective inclusion in development and poverty eradication programmes,

Reaffirming the universality, indivisibility, interrelatedness, interdependence and mutually reinforcing nature of all civil, cultural, economic, political and social rights, including the right to development,

Expressing deep concern over the lack of progress in the trade negotiations of the World Trade Organization, and reaffirming the need for a successful outcome of the Doha Development Round in key areas such as agriculture, market access for non-agricultural products, trade facilitation, development and services,

---

1. Resolution 217 A (III).
2. See resolution 2200 A (XXI), annex.
3. A/CONF.157/24 (Part I), chap. III.
4. See resolution 55/2.

Recalling the outcome of the twelfth session of the United Nations Conference on Trade and Development, held in Accra from 20 to 25 April 2008 on the theme "Addressing the opportunities and challenges of globalization for development",[5]

Recalling also all its previous resolutions, Human Rights Council resolution 9/3 of 24 September 2008,[6] previous resolutions of the Council and those of the Commission on Human Rights on the right to development, in particular Commission resolution 1998/72 of 22 April 1998,[7] on the urgent need to make further progress towards the realization of the right to development as set out in the Declaration on the Right to Development,

Welcoming the outcome of the ninth session of the Working Group on the Right to Development of the Human Rights Council, held in Geneva from 18 to 22 August 2008, as contained in the report of the Working Group[8] and as referred to in the report of the Secretary-General on the right to development,[9]

Recalling the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006, the Fifteenth Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held in Tehran on 29 and 30 July 2008, and the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held in Putrajaya, Malaysia, on 29 and 30 May 2006,

Reiterating its continuing support for the New Partnership for Africa's Development[10] as a development framework for Africa,

Recognizing that poverty is an affront to human dignity,

Recognizing also that extreme poverty and hunger are the greatest global threat that requires the collective commitment of the international community for its eradication, pursuant to Millennium Development Goal 1, and therefore calling upon the international community, including the Human Rights Council, to contribute towards achieving that goal,

Recognizing further that historical injustices have undeniably contributed to the poverty, underdevelopment, marginalization, social exclusion, economic disparity, instability and insecurity that affect many people in different parts of the world, in particular in developing countries,

Stressing that poverty eradication is one of the critical elements in the promotion and realization of the right to development and that poverty is a multifaceted problem that requires a multifaceted and integrated approach in addressing economic, political, social, environmental and institutional dimensions at all levels, especially in the context of the Millennium Development Goal of halving, by 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger,

---

[5] See TD/442.

[6] See A/HRC/9/L.11, sect. A.

[7] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[8] A/HRC/9/17.

[9] A/63/340.

[10] A/57/304, annex.

1. *Endorses* the conclusions and recommendations adopted by consensus by the Working Group on the Right to Development of the Human Rights Council at its ninth session,[9] and calls for their immediate, full and effective implementation by the Office of the United Nations High Commissioner for Human Rights and other relevant actors;

2. *Supports* the realization of the mandate of the Working Group as renewed by the Human Rights Council in its resolution 9/3,[6] with the recognition that the Working Group will convene annual sessions of five working days and present its reports to the Council;

3. *Also supports* the realization of the mandate of the high-level task force on the implementation of the right to development, established within the framework of the Working Group, as renewed by the Human Rights Council in its resolution 9/3, with the further recognition that the task force will convene annual sessions of seven working days and present its reports to the Working Group;

4. *Emphasizes* the relevant provisions of General Assembly resolution 60/251 of 15 March 2006 establishing the Human Rights Council, and in this regard calls upon the Council to implement the agreement to continue to act to ensure that its agenda promotes and advances sustainable development and the achievements of the Millennium Development Goals, and also in this regard, to lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action,[3] to the same level and on a par with all other human rights and fundamental freedoms;

5. *Notes with appreciation* that the high-level task force, at its second meeting, examined Millennium Development Goal 8, on developing a global partnership for development, and suggested criteria for its periodic evaluation with the aim of improving the effectiveness of global partnership with regard to the realization of the right to development;[10]

6. *Stresses* the importance of endorsement of the workplan for the task force for the period 2008-2010, outlined in paragraph 43 of the report of the Working Group,[4] which requires that the criteria for the periodic evaluation of global partnerships, as identified in Millennium Development Goal 8, to be submitted by the task force to the Working Group at its eleventh session in 2010, is extended to other components of Millennium Development Goal 8;

7. *Also stresses* that the above criteria, once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

8. *Emphasizes* the importance that, upon completion of the three phases of the road map, the Working Group take appropriate steps to ensure respect for and practical application of these standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

---

[10] See E/CN.4/2005/WG.18/TF/3.

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session,[12] congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Also stresses* that it is important that the high-level task force and the Working Group, in the discharge of their mandates, take into account the need:

(a) To promote the democratization of the system of international governance in order to increase the effective participation of developing countries in international decision-making;

(b) To also promote effective partnerships such as the New Partnership for Africa's Development[10] and other similar initiatives with the developing countries, particularly the least developed countries, for the purpose of the realization of their right to development, including the achievement of the Millennium Development Goals;

(c) To strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights, and also urging all States to expand and deepen mutually beneficial cooperation in ensuring development and eliminating obstacles to development in the context of promoting effective international cooperation for the realization of the right to development, bearing in mind that lasting progress towards the implementation of the right to development requires effective development policies at the national level and a favourable economic environment at the international level;

(d) To consider ways and means to continue to ensure the operationalization of the right to development as a priority;

(e) To mainstream the right to development in the policies and operational activities of the United Nations and the specialized agencies, programmes and funds, as well as in policies and strategies of the international financial and multilateral trading systems, taking into account in this regard that the core principles of the international economic, commercial and financial spheres, such as equity, non-discrimination, transparency, accountability, participation and international cooperation, including effective partnerships for development, are indispensable in achieving the right to development and preventing discriminatory treatment arising out of political or other non-economic considerations, in addressing the issues of concern to the developing countries;

11. *Encourages* the Human Rights Council to consider how to ensure follow-up to the ongoing work of the former Subcommission on the Promotion and Protection of Human Rights on the right to development, in accordance with the relevant provisions of General Assembly and Commission on Human Rights resolutions, and in compliance with decisions to be taken by the Human Rights Council;

---

[12] E/CN.4/2002/28/Rev.1, sect. VIII.A.

12. *Invites* Member States and all other stakeholders to participate actively in future sessions of the Social Forum, while recognizing the strong support extended to the Forum at its previous four sessions by the Subcommission on the Promotion and Protection of Human Rights;

13. *Reaffirms* the commitment to implement the goals and targets set out in all the outcome documents of the major United Nations conferences and summits and their review processes, in particular those relating to the realization of the right to development, recognizing that the realization of the right to development is critical to achieving the objectives, goals and targets set in those outcome documents;

14. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, places the human person at the centre of development and recognizes that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

15. *Stresses* that the primary responsibility for the promotion and protection of all human rights lies with the State, and reaffirms that States have the primary responsibility for their own economic and social development and that the role of national policies and development strategies cannot be overemphasized;

16. *Reaffirms* the primary responsibility of States to create national and international conditions favourable to the realization of the right to development, as well as their commitment to cooperate with each other to that end;

17. *Also reaffirms* the need for an international environment that is conducive to the realization of the right to development;

18. *Stresses* the need to strive for greater acceptance, operationalization and realization of the right to development at the international and national levels, and calls upon States to institute the measures required for the implementation of the right to development as an integral part of fundamental human rights;

19. *Emphasizes* the critical importance of identifying and analysing obstacles impeding the full realization of the right to development at both the national and the international levels;

20. *Affirms* that, while globalization offers both opportunities and challenges, the process of globalization remains deficient in achieving the objectives of integrating all countries into a globalized world, and stresses the need for policies and measures at the national and global levels to respond to the challenges and opportunities of globalization if this process is to be made fully inclusive and equitable;

21. *Recognizes* that, despite continuous efforts on the part of the international community, the gap between developed and developing countries remains unacceptably wide, that most of the developing countries continue to face difficulties in participating in the globalization process and that many risk being marginalized and effectively excluded from its benefits;

22. *Expresses its deep concern* in this regard at the negative impact on the realization of the right to development owing to the further aggravation of the economic and social situation, in particular of developing countries, as the result of the ongoing international energy, food and financial crises;

23. *Underlines* the fact that the international community is far from meeting the target set in the United Nations Millennium Declaration[4] of halving the number of people living in poverty by 2015, reaffirms the commitment made to meet that target, and emphasizes the principle of international cooperation, including partnership and commitment, between developed and developing countries towards achieving the goal;

24. *Urges* developed countries that have not yet done so to make concrete efforts towards meeting the targets of 0.7 per cent of their gross national product for official development assistance to developing countries and 0.15 to 0.2 per cent of their gross national product to least developed countries, and encourages developing countries to build on the progress achieved in ensuring that official development assistance is used effectively to help to meet development goals and targets;

25. *Recognizes* the need to address market access for developing countries, including in agriculture, services and non-agricultural products, in particular those of interest to developing countries;

26. *Calls for* the implementation of a desirable pace of meaningful trade liberalization, including in areas under negotiation in the World Trade Organization; implementation of commitments on implementation-related issues and concerns; review of special and differential treatment provisions, with a view to strengthening them and making them more precise, effective and operational; avoidance of new forms of protectionism; and capacity-building and technical assistance for developing countries as important issues in making progress towards the effective implementation of the right to development;

27. *Recognizes* the important link between the international economic, commercial and financial spheres and the realization of the right to development, stresses, in this regard, the need for good governance and broadening the base of decision-making at the international level on issues of development concern and the need to fill organizational gaps, as well as strengthen the United Nations system and other multilateral institutions, and also stresses the need to broaden and strengthen the participation of developing countries and countries with economies in transition in international economic decision-making and norm-setting;

28. *Also recognizes* that good governance and the rule of law at the national level assist all States in the promotion and protection of human rights, including the right to development, and agrees on the value of the ongoing efforts being made by States to identify and strengthen good governance practices, including transparent, responsible, accountable and participatory government, that are responsive and appropriate to their needs and aspirations, including in the context of agreed partnership approaches to development, capacity-building and technical assistance;

29. *Further recognizes* the important role and the rights of women and the application of a gender perspective as a cross-cutting issue in the process of realizing the right to development, and notes in particular the positive relationship between women's education and their equal participation in the civil, cultural,

economic, political and social activities of the community and the promotion of the right to development;

30. *Stresses* the need for the integration of the rights of children, girls and boys alike, in all policies and programmes, and for ensuring the promotion and protection of those rights, especially in areas relating to health, education and the full development of their capacities;

31. *Welcomes* the Political Declaration on HIV/AIDS adopted at the High-level Meeting of the General Assembly on 2 June 2006,[13] stresses that further and additional measures must be taken at the national and international levels to fight HIV/AIDS and other communicable diseases, taking into account ongoing efforts and programmes, and reiterates the need for international assistance in this regard;

32. *Also welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities[14] on 3 May 2008;

33. *Stresses its commitment* to indigenous peoples in the process of realization of the right to development, and reaffirms the commitment to promote their rights in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security in accordance with recognized international human rights obligations and taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007;

34. *Recognizes* the need for strong partnerships with civil society organizations and the private sector in pursuit of poverty eradication and development, as well as for corporate social responsibility;

35. *Emphasizes* the urgent need for taking concrete and effective measures to prevent, combat and criminalize all forms of corruption at all levels, to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery consistent with the principles of the United Nations Convention against Corruption,[15] particularly chapter V thereof, stresses the importance of a genuine political commitment on the part of all Governments through a firm legal framework, and in this context urges States to sign and ratify as soon as possible, and States parties to implement effectively, the Convention;

36. *Also emphasizes* the need to strengthen further the activities of the Office of the United Nations High Commissioner for Human Rights in the promotion and realization of the right to development, including ensuring effective use of the financial and human resources necessary to fulfil its mandate, and calls upon the Secretary-General to provide the Office of the High Commissioner with the necessary resources;

37. *Reaffirms* the request to the High Commissioner, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council;

[13] Resolution 60/262, annex.

[14] Resolution 61/106, annex I.

[15] United Nations, *Treaty Series*, vol. 2349, No. 42146.

38. *Calls upon* the United Nations agencies, funds and programmes, as well as the specialized agencies, to mainstream the right to development in their operational programmes and objectives, and stresses the need for the international financial and multilateral trading systems to mainstream the right to development in their policies and objectives;

39. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs and bodies, specialized agencies, funds and programmes, international development and financial institutions, in particular the Bretton Woods institutions, and non-governmental organizations;

40. *Also requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session and an interim report to the Human Rights Council on the implementation of the present resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development, and invites the Chairperson of the Working Group on the Right to Development to present a verbal update to the Assembly at its sixty-fourth session.

Draft resolution XII
Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 62/162 of 18 December 2007, Human Rights Council resolution 9/4 of 24 September 2008,[1] and previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Secretary-General[2] submitted pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[3] and the reports of the Secretary-General on the implementation of resolutions 52/120 of 12 December 1997[4] and 55/110 of 4 December 2000,[5]

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling the final document of the Fourteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana on 15 and 16 September 2006,[6] and the final document of the Fifteenth Ministerial Conference of the Non-Aligned Movement, held in Teheran from 27 to 30 July 2008,[7] in which the Ministers of the Movement of Non-Aligned Countries agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise, as called for by the General Assembly and other United Nations organs, and to request States applying those measures or laws to revoke them fully and immediately,

Recalling also that at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral coercive measure not in accordance with international law and the Charter that

---

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53 and Add.1), chap. I.

[2] A/63/272.

[3] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[4] A/53/293 and Add.1.

[5] A/56/207 and Add.1.

[6] A/61/472-S/2006/780, annex I.

[7] A/62/929, annex I.

creates obstacles to trade relations among States and impedes the full realization of all human rights, and also severely threatens the freedom of trade,[8]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development adopted by the World Summit for Social Development on 12 March 1995,[9] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[10] the Istanbul Declaration on Human Settlements and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[11] and their five-year reviews,

Expressing its concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing its grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women and children, including adolescents,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[12]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[13] and the International Covenant on Economic, Social and Cultural Rights,[13] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

---

[8] See A/CONF.157/24 (Part I), chap. III.

[9] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[10] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[11] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

[12] Resolution 41/128, annex.

[13] See resolution 2200 A (XXI), annex.

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to stop adopting or implementing any unilateral measures not in accordance with international law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[14] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Also urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

3. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States to neither recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

4. *Condemns* the continued unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures with all their extraterritorial effects as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

5. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

6. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest possible time;

7. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

---

[14] Resolution 217 A (III).

8. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

9. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment of national laws and their extraterritorial application which are not in conformity with international law, in its task concerning the implementation of the right to development;

10. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

11. *Underlines* that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[12] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of domestic laws which run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Intergovernmental Group of Experts on the Right to Development;

12. *Recognizes* that in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[15] States were strongly urged to avoid and refrain from any unilateral measure in building the information society;

13. *Supports* the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

14. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its sixty-fourth session, while reiterating once again the need to highlight the practical and preventive measures in this respect;

15. *Decides* to examine the question on a priority basis at its sixty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

---

[15] A/C.2/59/3, annex, chap. I, sect. A.

Draft resolution XIII
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000[2] and of its resolution 62/160 of 18 December 2007, Human Rights Council resolution 7/3 of 27 March 2008 and resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and its role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[3]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for

[1] A/CONF.15/24 (Part I), chap. III.
[2] See resolution 55/2.
[3] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

9. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

10. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means to enhance international cooperation and dialogue in the United Nations human rights machinery, including the Human Rights Council;

11. *Decides* to continue its consideration of the question at its sixty-fourth session.

Draft resolution XIV
Elimination of all forms of intolerance and of discrimination based on religion or belief

The General Assembly,

Recalling its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights,[1] article 18 of the Universal Declaration of Human Rights[2] and other relevant human rights provisions,

Recalling further its previous resolutions on the elimination of all forms of intolerance and of discrimination based on religion or belief, including resolution 62/157 of 18 December 2007, as well as Human Rights Council resolution 6/37 of 14 December 2007,[3] in which the Council, inter alia, extended the mandate of the Special Rapporteur on freedom of religion or belief,[4]

Reaffirming the recognition by the 1993 World Conference on Human Rights that all human rights are universal, indivisible, interdependent and interrelated, and its call upon all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[5]

Considering that religion or belief, for those who profess either, is one of the fundamental elements in their conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Considering also that the disregard for and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience and religion or belief, have brought, directly or indirectly, wars and great suffering to humankind,

Recognizing the important work carried out by the Human Rights Committee in providing guidance with respect to the scope of the freedom of religion or belief,

Resolved to speed up the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience and religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or

---

[1] See resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

[3] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.

[4] Ibid., para. 18.

[5] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

belief, as also noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

Reaffirming that everyone has the right to freedom of thought, conscience, religion or belief, which includes the freedom to have or to adopt a religion or belief of one's choice and the freedom, either alone or in community with others and in public or private, to manifest one's religion or belief in teaching, practice, worship and observance,

Seriously concerned at all attacks on religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, including any deliberate destruction of relics and monuments,

Seriously concerned also at any misuse of registration procedures and at the resort to discriminatory registration procedures as a means to limit the right to freedom of religion or belief of members of certain religious communities, at the limitations placed on religious materials and at the obstacles placed in the way of construction of places of worship inconsistent with the exercise of the right to freedom of religion or belief,

Noting that a formal or legal distinction at national level between different kinds of religions or beliefs may, in some cases, constitute discrimination and may impinge on the enjoyment of the freedom of religion or belief,

Expressing deep concern at all forms of discrimination and intolerance, including prejudices against persons and derogatory stereotyping of persons, based on religion or belief,

Recognizing the importance of enhanced interreligious and intrareligious dialogue in promoting tolerance in matters relating to religion or belief, and welcoming different initiatives in this regard, including the Alliance of Civilizations and the programmes led by the United Nations Educational, Scientific and Cultural Organization,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for religious and cultural diversity and in the universal promotion and protection of human rights, including freedom of religion or belief,

Convinced of the need to address the rise in various parts of the world of religious extremism that affects the rights of individuals, the situations of violence and discrimination that affect many women as well as other individuals on the grounds or in the name of religion or belief or in accordance with cultural and traditional practices, and the misuse of religion or belief for ends inconsistent with the Charter of the United Nations, as well as other relevant instruments of the United Nations,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Reaffirming, in this regard, that education shall be directed to the full development of the human personality and to the strengthening of respect for human

rights and fundamental freedoms and shall promote understanding, tolerance and friendship among all nations, racial or religious groups and further the activities of the United Nations for the maintenance of peace,

1. *Condemns* all forms of intolerance and of discrimination based on religion or belief, as well as violations of freedom of thought, conscience and religion or belief;

2. *Stresses* that the right to freedom of thought, conscience and religion applies equally to all people, regardless of their religions or beliefs, and without any discrimination as to their equal protection by the law;

3. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest one's religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, are non-discriminatory and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

4. *Recognizes with deep concern* the overall rise in instances of intolerance and violence directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

5. *Expresses concern* over the persistence of institutionalized social intolerance and discrimination practised against many in the name of religion or belief;

6. *Recalls* that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief;

7. *Emphasizes* that such procedures, as described in paragraph 6 above, at the national or local level, as and when legally required, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief either individually or in community with others and in public or private;

8. *Recognizes with concern* the situation of persons in vulnerable situations, including persons deprived of their liberty, refugees, asylum-seekers and internally displaced persons, children, persons belonging to national or ethnic, religious and linguistic minorities and migrants, as regards their ability to freely exercise their right to freedom of religion or belief;

9. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience, religion or belief, and to this end:

(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction, inter alia, by the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief, or the right to practise freely one's religion, including the right to change one's religion or belief, is violated;

(b) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief and that no one is

subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account and to bring to justice all perpetrators of violations of these rights;

(c) To ensure that no one is discriminated against on the basis of his or her religion or belief when accessing, inter alia, education, medical care, employment, humanitarian assistance or social benefits;

(d) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all persons to manifest their religion or belief, alone or in community with others and in public or in private;

(e) To ensure that no official documents are withheld from the individual on the grounds of a person's religion or belief and that everyone has the right to refrain from disclosing information concerning one's religious affiliation on such documents against one's will;

(f) To ensure that everyone has the right and opportunity to have access, on general terms of equality, to public service in one's country, without any discrimination on the basis of religion or belief;

(g) To ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and their right to establish and maintain places for these purposes and the right of all persons to write, issue and disseminate relevant publications in these areas;

(h) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(i) To exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration and destruction;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of fulfilling their official duties, respect all religions or beliefs and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate education or training is provided;

10. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual or electronic media or any other means;

11. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing;

12. *Urges* States to step up their efforts to eliminate intolerance and discrimination based on religion or belief, notably by:

(a) Taking all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance

based on religion or belief, as well as incitement to hostility and violence, with particular regard to members of religious minorities in all parts of the world, and devoting particular attention to practices that violate the human rights of women and discriminate against women, including in the exercise of their right to freedom of thought, conscience, religion or belief;

(b) Promoting and encouraging, through education and other means, understanding, tolerance and respect in all matters relating to freedom of religion or belief and undertaking all appropriate efforts to encourage those engaged in teaching to promote mutual understanding, tolerance and respect;

13. *Emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

14. *Stresses* the need to strengthen dialogue, inter alia, through the Alliance of Civilizations and its High Representative and the focal point designated within the Secretariat by the General Assembly in its resolution 62/90, to interact with various entities in the United Nations system and coordinate their contribution to dialogue;

15. *Emphasizes* the importance of a continued and strengthened dialogue among and within religions or beliefs, at all levels and with a broader participation, including of women, to promote greater tolerance, respect and mutual understanding;

16. *Invites* all actors to address in the context of interreligious and intercultural dialogue, inter alia, the following issues within the framework of international human rights:

(a) The rise of religious extremism affecting religions in all parts of the world;

(b) The situations of violence and discrimination that affect many women as well as other individuals on the grounds or in the name of religion or belief or in accordance with cultural and traditional practices;

(c) The misuse of religion or belief for ends inconsistent with the Charter of the United Nations, as well as other relevant instruments of the United Nations;

17. *Welcomes and encourages* the continuing efforts of all actors in society, including non-governmental organizations and bodies and groups based on religion or belief, to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[o] and further encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

18. *Recommends* that States, the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in as many different languages as possible, and promote its implementation;

---

[o] See resolution 36/55.

19. *Welcomes* the work and the interim report of the Special Rapporteur on freedom of religion or belief;[7]

20. *Urges* all Governments to cooperate fully with the Special Rapporteur, to respond favourably to her requests to visit their countries and to provide all necessary information for the effective fulfilment of her mandate;

21. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to fully discharge her mandate;

22. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fourth session;

23. *Decides* to consider the question of the elimination of all forms of religious intolerance at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

[7] See A/63/161.

Draft resolution XV
Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1] which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights[2] and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions, as set out in Human Rights Council resolution 8/3 of 18 June 2008,

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949,[3] which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Mindful of all its resolutions on the subject of extrajudicial, summary or arbitrary executions and the resolutions of the Commission on Human Rights and of the Human Rights Council on the subject,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with deep concern the growing number of civilians and persons *hors de combat* killed in situations of armed conflict and internal strife,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court,[4] and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes as set out in General Assembly resolution 60/1,

Convinced of the need for effective action to prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of human rights, particularly the right to life,

1. *Strongly condemns once again* all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;

2. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to prevent, combat and eliminate the phenomenon in all its forms and manifestations;

---

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[4] Ibid., vol. 2187, No. 38544.

3. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families, and to adopt all necessary measures, including legal and judicial measures, to put an end to impunity and to prevent the further occurrence of such executions, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions;[5]

4. *Calls upon* Governments and invites intergovernmental and non-governmental organizations to pay greater attention to the work of national level commissions of inquiry into extrajudicial, summary or arbitrary executions with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;

5. *Calls upon* all States, in order to prevent extrajudicial, summary and arbitrary executions, to comply with their obligations under relevant provisions of international human rights instruments, and further calls upon those States which have not abolished the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights[2] and articles 37 and 40 of the Convention on the Rights of the Child,[6] bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and taking into account the recommendations of the Special Rapporteur regarding the need to respect essential procedural guarantees, including the right to seek pardon or commutation of sentence;

6. *Urges* all States:

(a) To take all necessary and possible measures, in conformity with international human rights law and international humanitarian law, to prevent loss of life, in particular that of children, during public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts, and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials[7] and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;[8]

(b) To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence

---

[5] Economic and Social Council resolution 1989/65, annex.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[7] Resolution 34/169, annex.

[8] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities, killings of persons affected by terrorism, hostage-taking or foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason, including sexual orientation, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level, and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;

7. *Affirms* the obligation of States, in order to prevent extrajudicial, summary or arbitrary executions, to protect the lives of all persons deprived of their liberty in all circumstances and to investigate and respond to deaths in custody;

8. *Urges* all States to ensure that persons deprived of their liberty are treated humanely and with full respect for their human rights and to ensure that their treatment, including judicial guarantees, and conditions conform to the Standard Minimum Rules for the Treatment of Prisoners[9] and, where applicable, to the Geneva Conventions of 12 August 1949[3] and the Additional Protocols thereto of 8 June 1977[10] in relation to all persons detained in armed conflict, as well as to other pertinent international instruments;

9. *Welcomes* the International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, taking note of the growing awareness of the Court worldwide, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences, and further welcomes the fact that one hundred and eight States have already ratified or acceded to and that one hundred and thirty-nine States have signed the Rome Statute of the Court, and calls upon all those States that have not ratified or acceded to the Rome Statute to give serious consideration to doing so;

10. *Acknowledges* the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, and urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools designed to encourage and facilitate greater attention to the protection of witnesses;

11. *Encourages* Governments and intergovernmental and non-governmental organizations to organize training programmes and to support projects with a view to training or educating military forces, law enforcement officers and government

---

[9] *Human Rights: A Compilation of International Instruments*, Volume I (First Part): *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[10] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

officials in human rights and humanitarian law issues connected with their work and to include a gender and child rights perspective in such training, and appeals to the international community and requests the Office of the United Nations High Commissioner for Human Rights to support endeavours to that end;

12. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions to the General Assembly;[11]

13. *Commends* the important role that the Special Rapporteur plays towards the elimination of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within his mandate, to collect information from all concerned, to respond effectively to reliable information that comes before him, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in his reports;

14. *Acknowledges* the important role of the Special Rapporteur in identifying cases where extrajudicial, summary and arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges him to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide, in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;

15. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

16. *Urges* all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that his mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate of the Special Rapporteur, and by responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

17. *Expresses its appreciation* to those States that have received the Special Rapporteur and asks them to examine his recommendations carefully, invites them to inform him of the actions taken on those recommendations, and requests other States to cooperate in a similar way;

18. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

19. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable him to carry out his mandate effectively, including through country visits;

20. *Also requests* the Secretary-General to continue, in close collaboration with the High Commissioner, in conformity with the mandate of the High Commissioner established by the General Assembly in its resolution 48/141 of

[11] See A/61/311.

20 December 1993, to ensure that personnel specialized in human rights and humanitarian law issues form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;

21. *Requests* the Special Rapporteur to submit to the General Assembly at its sixty-fourth and sixty-fifth sessions a report on the situation worldwide in regard to extrajudicial, summary or arbitrary executions and his recommendations for more effective action to combat this phenomenon;

22. *Decides* to continue its consideration of this question at its sixty-fifth session.

Draft resolution XVI
Missing persons

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949[1] and the Additional Protocols thereto of 1977,[2] as well as international standards of human rights, in particular the Universal Declaration of Human Rights,[3] the International Covenant on Economic, Social and Cultural Rights,[4] the International Covenant on Civil and Political Rights,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Rights of the Child[6] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[7]

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance,[8] and looking forward to its entry into force,

Recalling all previous relevant resolutions on missing persons adopted by the General Assembly, as well as the resolutions adopted by the Commission on Human Rights and the Human Rights Council,

Noting with deep concern that armed conflicts are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

Noting also that the issue of persons reported missing in connection with international or non-international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put an end to those conflicts and causes suffering to the families of missing persons, and stressing in this regard the need to address the issue from a humanitarian perspective, among others,

Considering that the problem of missing persons may raise questions of international humanitarian law and international human rights law, as appropriate,

Being cognizant that States that are parties to an armed conflict have a responsibility for countering the phenomenon of missing persons and determining the fate of missing persons and for recognizing their accountability as regards implementing the relevant mechanisms, policies and laws,

Bearing in mind the effective search for and identification of missing persons through traditional forensic methods, and recognizing that great technological

---

[1] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[2] Ibid., vol. 1125, Nos. 17512 and 17513.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[6] Ibid., vol. 1577, No. 27531.
[7] A/CONF.157/24 (Part I), chap. III.
[8] Resolution 61/177, annex.

progress has been achieved in the field of DNA forensic sciences, which could significantly assist efforts to identify missing persons,

Recalling the Agenda for Humanitarian Action, in particular its general objective 1, to "respect and restore the dignity of persons missing as a result of armed conflicts or other situations of armed violence and of their families", adopted at the Twenty-eighth International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003, and resolution 3 on the reaffirmation and implementation of international humanitarian law, entitled "Preserving human life and dignity in armed conflict", adopted at the Thirtieth International Conference of the Red Cross and Red Crescent, held in Geneva from 26 to 30 November 2007,

Taking note with appreciation of the report of the Secretary-General of 18 August 2008 on missing persons, prepared pursuant to General Assembly resolution 61/155 of 19 December 2006,[9]

Taking note with appreciation also of the ongoing international and regional efforts to address the question of missing persons and of the initiatives undertaken by international and regional organizations in this field,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949[1] and, where applicable, in the Additional Protocols thereto of 1977;[2]

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with armed conflict and account for persons reported missing as a result of such a situation;

3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;

4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and, at the latest, from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;

5. *Calls upon* States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of persons reported missing in connection with the armed conflict and, to the greatest possible extent, to provide their family members, through appropriate channels, with all relevant information they have on their fate;

6. *Recognizes*, in this regard, the need for the collection, protection and management of data on missing persons according to international and national legal norms and standards, and urges States to cooperate with each other and with other concerned actors working in this area, inter alia, by providing all relevant and appropriate information related to missing persons;

7. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children and to reunite them with their families;

8. *Invites* States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing

[9] A/63/299.

persons and to adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only;

9. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the concerned States, and welcomes, in this regard, the establishment and efforts of commissions and working groups on missing persons;

10. *Calls upon* States, without prejudice to their efforts to determine the fate of persons missing in connection with armed conflicts, to take appropriate steps with regard to the legal situation of the missing persons and the need of their family members, in fields such as social welfare, financial matters, family law and property rights;

11. *Stresses* the need for addressing the issue of missing persons as a part of peacebuilding processes, with reference to all justice and rule-of-law mechanisms, on the basis of transparency, accountability and public involvement and participation;

12. *Welcomes* the panel discussion on the question of missing persons held at the ninth session of the Human Rights Council and takes note of the request of the Human Rights Council to the United Nations High Commissioner for Human Rights to prepare a summary of the panel's deliberations;[10]

13. *Takes note* of the request of the Human Rights Council to its Advisory Committee to prepare a study on the best practices in the matter of missing persons and to submit that study to the Council at its twelfth session;[11]

14. *Invites* relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the General Assembly;

15. *Requests* the Secretary-General to submit a comprehensive report on the implementation of the present resolution, including relevant recommendations, to the Human Rights Council at its relevant session and to the General Assembly at its sixty-fifth session;

16. *Also requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

17. *Decides* to consider the question at its sixty-fifth session.

---

[10] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53A* (A/63/53/Add.1), chap. II, decision 9/101.

[11] Ibid.

Draft resolution XVII
Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 62/156 of 18 December 2007, and recalling also Human Rights Council resolution 9/5 of 24 September 2008,

Reaffirming the Universal Declaration of Human Rights[1] in its sixtieth anniversary year, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State, and to leave any country, including his own, and return to his country,

Recalling the International Covenant on Civil and Political Rights[2] and the International Covenant on Economic, Social and Cultural Rights,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[3] the Convention on the Elimination of All Forms of Discrimination against Women,[4] the Convention on the Rights of the Child,[5] the International Convention on the Elimination of All Forms of Racial Discrimination,[6] the Vienna Convention on Consular Relations[7] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[8]

Recalling also the provisions concerning migrants contained in the outcomes of all major United Nations conferences and summits,

Underlining the importance of the Human Rights Council in promoting respect for the protection of the human rights and fundamental freedoms of all, including migrants,

Taking note of advisory opinion OC-16/99 of 1 October 1999 on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law and advisory opinion OC-18/03 of 17 September 2003 on the Juridical Condition and Rights of Undocumented Migrants, issued by the Inter-American Court of Human Rights,

---

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1465, No. 24841.
[4] Ibid., vol. 1249, No. 20378.
[5] Ibid., vol. 1577, No. 27531.
[6] Ibid., vol. 660, No. 9464.
[7] Ibid., vol. 596, No. 8638.
[8] Ibid., vol. 2220, No. 39481.

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals*,[9] and recalling the obligations of States reaffirmed therein,

Recalling the High-level Dialogue on International Migration and Development, held in New York on 14 and 15 September 2006 for the purpose of discussing the multidimensional aspects of international migration and development, which recognized the relationship between international migration, development and human rights,

Taking note of the second meeting of the Global Forum on Migration and Development, organized and hosted by the Government of the Philippines in October 2008, and recognizing the inclusion of a discussion on migration, development and human rights as one of the steps to address the multidimensional nature of international migration,

Recalling its resolution 62/270 of 20 June 2008 on the Global Forum on Migration and Development, as adopted, in which, inter alia, it recognized that exchanges of information and expertise, consultation and closer cooperation between the Global Forum on Migration and Development and the United Nations could have a positive impact,

Noting the international meeting on the protection of the rights of children in the context of international migration, held on 30 September and 1 October 2008 in Mexico City, co-organized by the Office of the United Nations High Commissioner for Human Rights,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy and take place in a context of new security concerns,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as the full respect for the human rights and fundamental freedoms of migrants,

Noting that many migrant women are employed in the informal economy and in less skilled work compared with that of men, which puts those women at greater risk of abuse and exploitation,

Concerned about the large and growing number of migrants, especially women and children, who place themselves in a vulnerable situation by attempting to cross international borders without the required travel documents, and recognizing the obligation of States to respect the human rights of those migrants,

Stressing the importance of regulations and laws regarding irregular migration being in accordance with States' obligations under international law, including international human rights law,

---

[9] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 4* (A/59/4), chap. V, sect. A.23; see also *Avena and Other Mexican Nationals (Mexico v. United States of America), Judgment, I.C.J. Reports 2004*, p. 12.

Stressing also that penalties and the treatment given to irregular migrants should be commensurate with their infraction,

Recognizing the importance of having a comprehensive and balanced approach to international migration, and bearing in mind that migration enriches the economical, political, social and cultural fabric of States and the historical and cultural ties that exist among some regions,

Underlining the importance for States, in cooperation with non-governmental organizations, to undertake information campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone to make informed decisions and to prevent them from utilizing dangerous means to cross international borders,

1. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability;

2. *Also calls upon* States to ensure that their laws and policies, including in the areas of counter-terrorism and combating transnational organized crime such as trafficking in persons and smuggling of migrants, fully respect the human rights of migrants;

3. *Calls upon* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[9] as a matter of priority, and requests the Secretary-General to continue his efforts to raise awareness of and promote the Convention;

4. *Urges* States parties to the United Nations Convention against Transnational Organized Crime[10] and supplementing protocols thereto, namely, the Protocol against the Smuggling of Migrants by Land, Sea and Air[11] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[12] to implement them fully, and calls upon States that have not done so to consider ratifying or acceding to them as a matter of priority;

5. *Takes note* of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its seventh and eighth sessions;[13]

6. *Requests* all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, destination and

[10] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[11] Ibid., vol. 2241, No. 39574.
[12] Ibid., vol. 2237, No. 39574.
[13] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 48* (A/63/48).

transit, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

7. *Expresses concern* about legislation and measures adopted by some States that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

8. *Takes note with appreciation* of the measures adopted by some States to reduce detention periods for irregular migrants in the application of domestic regulations and laws regarding irregular migration;

9. *Calls upon* all States to respect the human rights and the inherent dignity of migrants and to put an end to arbitrary arrest and detention and, where necessary, to review detention periods in order to avoid excessive detention of irregular migrants, and to adopt, where applicable, alternative measures to their detention;

10. *Urges* all States to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

11. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with the law, and to prosecute, in conformity with applicable law, any act of violation of the human rights of migrants, inter alia, arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from their country of origin to the country of destination and vice versa, including their transit through national borders;

12. *Recalls* that the Universal Declaration of Human Rights recognizes that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him or her;

13. *Takes note with appreciation* of the successful implementation by some States of alternative measures to detention in cases of undocumented migration as a practice that deserves consideration by all States;

14. *Urges* States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations and take into account, in conformity with their international obligations and commitments, the principle of the best interest of the child and family reunification;

15. *Underlines* the right of migrants to return to their country of citizenship, and recalls that States must ensure that their returning nationals are duly received;

16. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations,[7] in particular with regard to the right of all foreign nationals, regardless of their immigration status, to communicate with a consular official of the sending State in case of arrest,

imprisonment, custody or detention, and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

17. *Strongly condemns* the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, reinforce the existing laws when xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

18. *Requests* all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

19. *Encourages* all States to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of remittances of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

20. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

21. *Requests* Member States, the United Nations system, international organizations, civil society and all relevant stakeholders, especially the United Nations High Commissioner for Human Rights and the Special Rapporteur on the human rights of migrants, to ensure that the perspective of the human rights of migrants is included among the priority issues in the ongoing discussions on international migration and development within the United Nations system, bearing in mind the discussions of the High-level Dialogue on International Migration and Development held pursuant to General Assembly resolution 58/208 of 23 December 2003;

22. *Invites* the Chairperson of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to address the General Assembly at its future sessions under the agenda item "Promotion and protection of human rights";

23. *Invites* the Special Rapporteur on the human rights of migrants to present his report to the General Assembly at its future sessions under the agenda item "Promotion and protection of human rights";

24. *Invites* Member States to strengthen their efforts to raise awareness of the important contribution of migrants to all spheres of society and to consider the development of appropriate tools to highlight the contribution of migrants to recipient countries, including through the collection of data and the development of statistics;

25. *Requests* the Secretary-General to provide the resources necessary, from within existing resources of the United Nations, for the Committee on the Protection

of the Rights of All Migrant Workers and Members of Their Families to meet for two separate sessions in 2009, the first session to be of two consecutive weeks' duration and the second session to be of one week's duration, for the purpose of meeting the demands of the workload arising from the increasing number of reports of States parties that have been submitted to the Committee, and invites the Committee to consider ways of further improving the effectiveness of its working sessions;

26. *Also requests* the Secretary-General to report on the implementation of the present resolution at its sixty-fourth session and to include in that report an analysis of the ways and means to promote the human rights of migrants, taking into account the views of the Special Rapporteur on the human rights of migrants, and decides to examine the question further under the item entitled "Promotion and protection of human rights".

Draft resolution XVIII
Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Reaffirming further the Universal Declaration of Human Rights,[1]

Reaffirming that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights law and refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, as well as the need to continue this fight, including through international cooperation and the strengthening of the role of the United Nations in this respect,

Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee law and international humanitarian law,

Recognizing that respect for all human rights, respect for democracy and respect for the rule of law are interrelated and mutually reinforcing,

Noting with concern measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, and the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture, and limitations to effective scrutiny of counter-terrorism measures,

Stressing that measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights law, international refugee law and international humanitarian law,

Recalling article 30 of the Universal Declaration of Human Rights[1] and reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States

[1] Resolution 217 A (III).

and destabilizing legitimately constituted Governments, and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,[2]

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Noting the declarations, statements and recommendations of a number of human rights treaty monitoring bodies and special procedures on the question of the compatibility of counter-terrorism measures with human rights obligations,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[3] in the fight against terrorism,

Recalling its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006 and 62/159 of 18 December 2007, Commission on Human Rights resolutions 2003/68 of 25 April 2003,[4] 2004/87 of 21 April 2004[5] and 2005/80 of 21 April 2005,[6] and other relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Council decision 2/112 of 27 November 2006[7] and resolution 7/7 of 27 March 2008,[8]

Recalling also Human Rights Council resolution 6/28 of 14 December 2007,[9] by which the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for a period of three years,

Recalling further its resolution 48/141 of 20 December 1993 and, inter alia, the responsibility of the United Nations High Commissioner for Human Rights to promote and protect the effective enjoyment of all human rights,

Acknowledging the work of the Human Rights Council in promoting respect for the protection of human rights and fundamental freedoms in the fight against terrorism,

---

[2] See sect. I, para. 17, of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/24 (Part I), chap. III).

[3] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[4] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[5] Ibid., 2004, *Supplement No. 3* (E/2004/23), chap. II, sect. A.

[6] Ibid., 2005, *Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[7] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. B.

[8] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[9] Ibid., chap. I.

Recognizing the importance of the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[10] and reaffirming its relevant clauses on measures to ensure respect for human rights for all, international humanitarian law and the rule of law as the fundamental basis for the fight against terrorism,

Recalling its resolution 62/272 of 5 September 2008, by which it called upon the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms while countering terrorism,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with assistance;

3. *Expresses serious concern* at the occurrence of violations of human rights and fundamental freedoms in the context of countering terrorism;

4. *Reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[11] to respect certain rights as non-derogable in any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, and underlines the exceptional and temporary nature of any such derogations;[12]

5. *Calls upon* States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

6. *Reaffirms* that counter-terrorism measures should be implemented in full consideration of the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin;

7. *Calls upon* States not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including on racial, ethnic and/or religious grounds;

8. *Urges* States, while countering terrorism, to fully comply with their obligations with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

9. *Also urges* States to fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

---

[10] Resolution 60/288.

[11] See resolution 2200 A (XXI), annex.

[12] See, for example, General Comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001.

10. *Calls upon* States to refrain from returning persons, including in cases related to terrorism, to their countries of origin or to a third State whenever such transfer would be contrary to their obligations under international law, in particular human rights law, international humanitarian law and international refugee law, including in cases where there are substantial grounds for believing that they would be in danger of subjection to torture, or where their life or freedom would be threatened in violation of international refugee law on account of their race, religion, nationality, membership of a particular social group or political opinion, bearing in mind obligations that States may have to prosecute individuals not returned;

11. *Also calls upon* States to ensure that guidelines and practices in all border control operations and other pre-entry mechanisms are clear and fully respect their obligations under international law, particularly refugee law and human rights law, towards persons seeking international protection;

12. *Urges* States, while countering terrorism, to ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights,[1] and their obligations under the International Covenant on Civil and Political Rights[11] and under the Geneva Conventions of 1949[13] and the Additional Protocols thereto, and the 1951 Convention relating to the Status of Refugees[14] and the 1967 Protocol thereto[15] in their respective fields of applicability;

13. *Urges* all States to take all necessary steps to ensure that persons deprived of liberty, regardless of the place of arrest or detention, benefit from the guarantees to which they are entitled under international law, including the review of the detention and, if subjected to trial, fundamental judicial guarantees;

14. *Opposes* any form of deprivation of liberty that amounts to placing a detained person outside the protection of the law, and urges States to respect the safeguards concerning the liberty, security and dignity of the person and to treat all prisoners in all places of detention in accordance with international law, including human rights law and international humanitarian law;

15. *Acknowledges* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in its resolution 61/177 of 20 December 2006, and recognizes that the entry into force of the Convention will be an important step in support of the rule of law in countering terrorism;

16. *Reaffirms* that it is imperative that all States work to uphold and protect the dignity of individuals and their fundamental freedoms, as well as democratic practices and the rule of law, while countering terrorism;

17. *Encourages* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms of the Human Rights Council and the relevant comments and views of United Nations human rights treaty bodies;

---

[13] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[14] Ibid., vol. 189, No. 2545.

[15] Ibid., vol. 606, No. 8791.

18. *Calls upon* States to ensure that their laws criminalizing acts of terrorism are accessible, formulated with precision, non-discriminatory, non-retroactive and in accordance with international law, including human rights law;

19. *Recognizes* the need to continue ensuring that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the Security Council's continued enhancement of efforts in support of these objectives, while emphasizing the importance of these sanctions in countering terrorism;

20. *Urges* States, while ensuring full compliance with their international obligations, to include adequate human rights guarantees in their national procedures for the listing of individuals and entities with a view to combating terrorism;

21. *Takes note with appreciation* of the report of the Secretary-General[16] and the report of the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism[17] submitted pursuant to resolution 62/159, and takes note of the recommendations and conclusions contained therein;

22. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its Counter-Terrorism Committee and the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and its Counter-Terrorism Committee to strengthen the links and to continue to develop cooperation with relevant human rights bodies, in particular with the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and other relevant special procedures and mechanisms of the Human Rights Council, giving due regard to the promotion and protection of human rights in the ongoing work pursuant to relevant Security Council resolutions relating to terrorism;

23. *Calls upon* States and other relevant actors, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy,[10] which, inter alia, reaffirms respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism;

24. *Requests* the Office of the High Commissioner and the Special Rapporteur to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, including by raising awareness about the need to respect human rights while countering terrorism;

25. *Requests* the Counter-Terrorism Implementation Task Force to continue its efforts to ensure that the United Nations can better coordinate and enhance support to Member States in their efforts to implement their obligations under international law, including international human rights law, international refugee law and international humanitarian law while countering terrorism;

---

[16] A/63/337.

[17] See A/63/223.

26. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the protection of human rights and fundamental freedoms while countering terrorism;

27. *Acknowledges with appreciation* the cooperation between the Special Rapporteur and all other relevant procedures and mechanisms of the Human Rights Council as well as the United Nations human rights treaty bodies, and urges them to continue their cooperation, in accordance with their mandates, and to coordinate their efforts, where appropriate, in order to promote a consistent approach on this subject;

28. *Requests* the Special Rapporteur, within the context of his mandate, to continue to make recommendations with regard to preventing, combating and redressing violations of human rights and fundamental freedoms in the context of countering terrorism;

29. *Expresses serious concern* about the occurrence of violations of human rights and fundamental freedoms caused while countering terrorism, and requests the Special Rapporteur, within the context of his mandate, to continue to make recommendations with regard to preventing, combating and redressing these situations;

30. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the urgent appeals of the Special Rapporteur and providing the information requested, as well as to cooperate with other relevant procedures and mechanisms of the Human Rights Council dealing with the promotion and protection of human rights and fundamental freedoms while countering terrorism;

31. *Calls upon* States to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries;

32. *Welcomes* the work of the United Nations High Commissioner for Human Rights to implement the mandate given to her in 2005, in resolution 60/158, and requests the High Commissioner to continue her efforts in this regard;

33. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its sixty-fourth session;

34. *Decides* to consider at its sixty-fourth session the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

Draft resolution XIX
International Convention for the Protection of All Persons from Enforced Disappearance

The General Assembly,

Reaffirming its resolution 61/177 of 20 December 2006, by which it adopted and opened for signature, ratification and accession the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling its resolution 47/133 of 18 December 1992, by which it adopted the Declaration on the Protection of All Persons from Enforced Disappearances as a body of principles for all States,

Recalling also Human Rights Council resolution 7/12 of 27 March 2008, by which the Council extended the mandate of the Working Group on Enforced or Involuntary Disappearances for a further period of three years,

Deeply concerned in particular by the increase in enforced or involuntary disappearances in various regions of the world, including arrest, detention and abduction, when these are part of or amount to enforced disappearances, and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses of disappearances or relatives of persons who have disappeared,

Acknowledging that acts of enforced disappearance are recognized by the Convention as crimes against humanity, in certain circumstances,

Recognizing that the entry into force of the Convention, as soon as possible, through its ratification by twenty States, will be a significant event,

1. *Welcomes* the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance on 20 December 2006, and looks forward to its entry into force at an early date;

2. *Also welcomes* the fact that since the signing ceremony for the Convention, on 6 February 2007, seventy-nine States have signed the Convention and five have ratified it, and calls upon States which have not done so yet to consider signing and ratifying the Convention as a matter of priority, as well as to consider the option provided for in articles 31 and 32 of the Convention regarding the Committee on Enforced Disappearances;

3. *Requests* the Secretary-General and the United Nations High Commissioner of Human Rights to intensify efforts to assist States to become parties to the Convention, with a view to achieving universal adherence;

4. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations and the Working Group on Enforced or Involuntary Disappearances, to continue undertaking efforts to disseminate information on the Convention, to promote its understanding, to prepare for its entry into force and to assist States parties in implementing their obligations under this instrument;

5. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-fourth session, a report on the status of the Convention and the implementation of the present resolution.

Draft resolution XX
The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Bearing in mind paragraph 6 of its resolution 60/251 of 15 March 2006,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of

---

[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] See resolution 55/2.

[4] See resolution 2200 A (XXI), annex.

[5] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/S-27/19, annex.

[7] Food and Agriculture Organization of the United Nations, *Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22–27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally, in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the worsening of the current global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, as a combination of several major factors, including macroeconomic factors, exacerbated by environmental degradation, desertification and global climate change, natural disasters and the lack of the technology necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the current world food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[8]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in continuing his efforts in this regard, including the continued engagement with Member States and the Special Rapporteur on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

---

[8] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7–10 March 2006* (C 2006/REP), appendix G.

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that more than 6 million children still die every year from hunger-related illness before their fifth birthday and that the number of people who are undernourished has grown to about 923 million worldwide, including as a result of the global food crisis, while, according to the Food and Agriculture Organization of the United Nations, the planet could produce enough food to feed 12 billion people, twice the world's present population;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

8. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

9. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

10. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

11. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an

increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element for food security and the provision of the right to food;

12. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[9]

13. *Also stresses* its commitments to promote and protect, without discrimination, the economic, social and cultural rights of indigenous peoples in accordance with international human rights obligations and, taking into account, as appropriate, the United Nations Declaration on the Rights of Indigenous Peoples,[10] acknowledges that many indigenous organizations and representatives of indigenous communities have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

14. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

15. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

16. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

17. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

18. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization

---

[9] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[10] Resolution 61/295, annex.

as a contribution to creating international conditions that permit the full realization of the right to food;

19. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

20. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

21. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[5] and the United Nations Millennium Declaration;[3]

22. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

23. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

24. *Stresses* the importance of international development cooperation and assistance, both as an effective contribution to the expansion of agriculture and food production and, in particular in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

25. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights[14] should consider implementing that agreement in a manner supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

26. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

27. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects

[14] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

28. *Takes note with appreciation* of the interim report of the Special Rapporteur on the right to food[12] and the work and commitment of the first mandate-holder to achieving the realization of the right to food;

29. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 6/2 of September 2007;

30. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

31. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[13] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

32. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[14] in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;

33. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

34. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur and encourages them to continue their cooperation in this regard;

35. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

---

[12] See A/63/278.

[13] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[14] *Ibid., 2003, Supplement No. 2* (E/2003/22), annex IV.

36. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fourth session on the implementation of the present resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

37. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

38. *Decides* to continue the consideration of the question at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

Draft resolution XXI
Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Recalling its resolution 61/162 of 19 December 2006,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[1] as well as article 12 of the International Covenant on Civil and Political Rights,[2]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[3] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Noting with great concern that, while some positive developments have occurred during the past few years in the accomplishment of the objectives highlighted in all previous resolutions adopted by the General Assembly on this matter,[4] in particular relating to facilitating the flow of remittances across international borders to help families, in certain cases it has been reported that measures have been adopted that increased the restrictions imposed on documented migrants in relation to family reunification and the possibility of sending remittances to their relatives in the country of origin,

Recalling that the family is the basic unit of society and, as such, should be strengthened, and that it is entitled to receive comprehensive protection and support,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against individuals or groups of legal migrants by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

---

[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] Resolutions 57/227, 59/203 and 61/162.

5. *Decides* to continue its consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

Draft resolution XXII
Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including General Assembly resolution 61/160 of 19 December 2006, and taking note of Human Rights Council resolution 8/5 of 18 June 2008,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[1] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

[1] Resolution 217 A (III).

Considering also that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Recognizing the complex character of the current global food, fuel and financial crises, in which the adequate enjoyment of all human rights is threatened to be violated, as a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of the technology necessary to confront its impact, particularly in developing countries and least developed countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies, and increased intercultural exchange through the preservation and promotion of cultural diversity,[2] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

---

[2] See A/CONF.189/12 and Corr.1, chap. I.

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development as well as threats to international peace and security that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the

widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[3]

10. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and the special mechanisms extended by the Human Rights Council and Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

[3] See resolution 3201 (S-VI).

Draft resolution XXIII
Committee on the Rights of the Child

The General Assembly,

Reaffirming the Convention on the Rights of the Child[1] and its Optional Protocols,[2]

Noting the report of the Secretary-General on the status of the Convention on the Rights of the Child;[3] and the report of the Committee on the Rights of the Child;[4]

1. *Notes*, while welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child, a backlog of more than eighty reports exists related to the submission by States parties of their initial reports under the Optional Protocols in conformity with their obligations, and notes with concern that if this backlog is not addressed, it will impede the ability of the Committee on the Rights of the Child, to consider reports in a timely manner, and in this regard takes note of the request of the Committee on the Rights of the Child to meet in parallel chambers to address this backlog in an effective and timely manner;

2. *Decides*, as an exceptional and temporary measure, to authorize the Committee to meet in parallel chambers, of nine members each, for ten working days of each of its three regular sessions and five working days of its pre-sessional meeting weeks between October 2009 and October 2010, for the purposes of considering the reports of the States parties submitted under article 44 of the Convention, and articles 8 and 12 of its Optional Protocols, taking due account of equitable geographical distribution and the principal legal systems;

3. *Also decides* to assess the situation regarding the meeting time of the Committee at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights, taking into account a more comprehensive approach towards the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions;

4. *Requests* the Committee to intensify its review of its working methods in order to enhance the efficiency and quality of its proceedings, with the aim of achieving timely consideration of reports submitted by States parties, and also requests the Committee to review and assess its progress in order to provide an update on this question in its report to the General Assembly at its sixty-fourth session and inputs to the evaluation to be made by the Office of the High Commissioner, taking into account the wider context of treaty body reform.

---

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.
[3] A/63/160.
[4] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 41* (A/63/41).